

UNITED STATES DISTRICT COURT

DISTRICT OF ALASKA

SALLY C. PURSER, )  
Plaintiff, )  
vs. )  
JOSEF F. BOEHM, ALLEN K. BOLLING, LESLIE )  
J. WILLIAMS, JR., and BAMBI TYREE, )  
Defendants. ) Case No. A05-085 CV (JKS)

## **AFFIDAVIT OF BAMBI TYREE**

STATE OF ALASKA )  
THIRD JUDICIAL DISTRICT )  
ss. )

15 I, Bambi Tyree, being first duly sworn, deposes and says:

16           1) I am one of the defendants in the above-captioned matter and am therefore  
17 familiar with this lawsuit.

19           2) On June 14, 2005, I was served with the complaint and summons in this  
20 case while I was in custody at the Federal Detention Center, in Seattle, Washington.

21       3) When I received the summons and complaint, I believed it was related to  
22 my criminal case, because it alleged the same facts as my criminal case had

24        4) I believed that my Federal Public Defender, Sue Ellen Tatter, would handle  
25 the case for me, as she had in my criminal case, so I sent the paperwork to her.

1           5) I tried contacting Sue Ellen by the telephone, but was unable to  
2 immediately connect with her.  
3

4           6) I was later able to speak with her on the telephone and she told me that she  
5 could not represent me in this case, as it was a civil matter.  
6

7           7) When I learned Sue Ellen could not represent me, I had no money to hire an  
8 attorney with.  
9

10          8) Although I read the complaint and summons, I did not understand what all  
11 the words meant. I did not know what an entry of default was.  
12

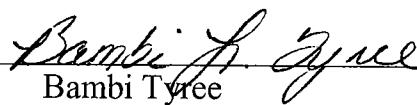
13          9) I dropped out of public school in 7<sup>th</sup> grade and although I completed my  
14 GED, I have no formal legal training.  
15

16          10) Before June 14, 2005, I had never been a civil defendant in a suit for  
17 monetary damages.  
18

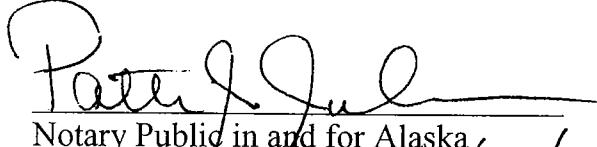
19          11) While I was incarcerated in home detention, I was able to schedule a  
20 meeting with attorneys at Eide, Gingras & Pate, P.C. I met with them on August 29,  
21 2006.  
22

23          12) I was released from custody on September 6, 2006.  
24

25          13) If given a chance to answer the complaint against me, I will deny the  
26 substantive allegations.  
27

1 FURTHER YOUR AFFIANT SAYETH NAUGHT.  
2  
3  
4 By:   
Bambi Tyree

5 SUBSCRIBED AND SWORN TO before me this 20<sup>th</sup> day of September,  
6 2006.

7   
8 Notary Public in and for Alaska  
9 My Commission Expires: 5/20/08

10  
11 CERTIFICATE OF SERVICE

12 PATTI J. JULIUSSEN certifies as follows: That I am a legal  
secretary employed by the law firm of Eide, Gingras & Pate, P.C.  
13 That on this 20<sup>th</sup> day of September, 2006, I a true and accurate  
copy of the foregoing document upon the following counsel of record:

14 ATTORNEY FOR PLAINTIFF

15 Darryl L. Jones, Esq. [X] electronically  
109 W. 6<sup>th</sup> Avenue, Suite 200  
Anchorage, AK 99501

16 ATTORNEYS FOR DEFENDANT JOSEF F. BOEHM

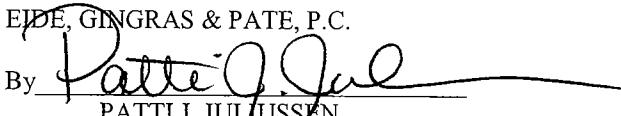
17 David Kenner, Esq., Kenner Law Firm [X] electronically  
16000 Ventura Blvd., Suite 1208  
Encino, CA 91436

18 Allen K. Bolling [X] First Class Mail

Inmate No.: 14911-006  
USP Terre Haute, U.S. Penitentiary  
P.O. Box 12015  
Terre Haute, IN 47801

19 Leslie Williams [X] First Class Mail  
Reg. 14903-006, Federal Correctional Institution – Victorville – Medium II  
P.O. Box 5700  
Adelanto, CA 92301

20 EIDE, GINGRAS & PATE, P.C.

21 By   
PATTI J. JULIUSSEN